



COUNCIL MEETING AGENDA

Tuesday, August 11, 2009

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

- 1. COMMITTEE-OF-THE-WHOLE (IN CAMERA) (5:10 p.m.)
(See yellow tab)**
 - Labour relations or employee negotiations;
 - Personal matters about an identifiable individual, including municipal or local Board employees;
 - Litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board matters;
 - Proposed or pending acquisition or disposition of land by the municipality or Local board matters;
 - Solicitor-client privilege, including communications necessary for that purpose.

- 2. ARISE FROM COMMITTEE-OF-THE-WHOLE (IN CAMERA) (6:55 p.m.)**

- 3. OPEN COUNCIL MEETING (7:00 p.m.)**
 - 3.1 NATIONAL ANTHEM**
 - 3.2 OPENING REMARKS**
 - 3.3 ADDITIONS/DELETIONS TO AGENDA**
 - 3.4 DISCLOSURES OF INTEREST**
 - 3.5 ADOPTION OF MINUTES**

Regular Council Meeting of July 14, 2009 and
Special Council Meeting of July 21, 2009
(Previously Distributed)
 - 3.6 CALL UPON THE CITY CLERK TO REVIEW COMMITTEE OF THE WHOLE ITEMS (IN CAMERA) TO BE ADDED TO BLOCK**
 - 3.7 COUNCILLORS TO DETERMINE AGENDA ITEMS AND BY-LAWS TO BE REMOVED FROM BLOCK FOR DISCUSSION IN COMMITTEE OF THE WHOLE (OPEN)
(See pink tab)**



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4. ORAL REPORTS AND DELEGATIONS

4.1 PRESENTATIONS

Paramedics Jeff Thususka and Kevin Gough in recognition of their actions that saved the lives of two elderly people.

09-4 Kelly Schwartz, CA, Senior Manager Assurance and Business Advisory Services, Grant Thornton LLP re: Consolidated Financial Statements for the year ended December 31, 2008.
Consolidated Financial Report included with Council Members' Agenda packages.

4.2 PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

09-131Z A complete application has been made by MARIKA D'ALESSANDRO AND STEVE TALOSI on behalf of BGBJ INVESTMENTS LTD. to rezone Part of Lot 24, concession 6 and Part of the closed Road Allowance between Lots 24 and 25, Concession 6, former Township of Crowland, now City of Welland and Parts of Block U, Plan 564 being part 1, Plan 59R-11756 and Part 1, Plan 59R-11803 for lands at 110 First Street from the existing IN-1-X4 Zone By-law 2667 to a Site Specific IN-1 Zone By-law 2667. The purpose of the Amendment is to amend the Zoning on the subject property to permit 60 square metres of the existing building to be occupied by a clinic for one (1) physician and 155 square metres of the existing building to accommodate a commercial school. The intent of establishing a commercial school at this site is to allow fitness classes for residents and non-residents of the retirement complex. The Official Plan designation is INSTITUTIONAL (INST).

09-132Z A complete Application has been made by ZELINKA PRIAMO LTD. on behalf of CALLOWAY REIT (WELLAND) INC. to rezone Part of Lot 4, Plan 59M-377 for lands on the north side of Woodlawn Road, west of Primeway Drive from the existing H-C4-X9 By-law 2667 to a Site Specific C4 Zone By-law 2667. The purpose of the Amendment is to permit a 108 square metre convenience store in association with a permitted gas bar (automotive service station), a 105 square metre car washing establishment and a propane dispensing station. The Official Plan designation is PRESTIGE LIGHT INDUSTRIAL/HIGHWAY COMMERCIAL DESIGNATION – OFFICIAL PLAN AMENDMENT NO. 97.



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4.3 DELEGATIONS (maximum 5/10/5 policy):

09-13 Sameer Iqbal, Vice-President Finance & Administration, Rob Lanteigne, Vice President University Affairs, and Nazir Khamis, General Manager, Brock University Student's Union re: Status of Welland Transit and the Universal Bus Pass at Brock University.

08-118

08-118Z Joe Tomaino, Planning Consultant and Thomas A. Richardson, Lawyer, Sullivan Mahoney LLP re: Applications for Official Plan Amendment and Zoning By-law Amendment – 138 and 154 Riverside Drive, Welland (File 2007-08).

08-118

08-118Z Tony Whelan re: re: Applications for Official Plan Amendment and Zoning By-law Amendment – 138 and 154 Riverside Drive, Welland (File 2007-08).

08-118

08-118Z Frank A. Zimmer re: Applications for Official Plan Amendment and Zoning By-law Amendment – 138 and 154 Riverside Drive, Welland (File 2007-08).

4.4 AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORT(S)

5. COMMITTEE OF THE WHOLE (OPEN)
(to discuss items removed from Agenda Block)

6. BY-LAWS (SEE AGENDA INDEX)

7. NOTICES OF MOTION

7.1 Councillor matters discussed with staff for reporting purposes.

7.2 Notices of Motion (previously submitted for discussion)



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(Councillor Alexander)

09-126 WHEREAS vehicle purchase and related use make up a significant portion of capital and operational expenditures;
AND WHEREAS fuel prices are expected to continue to rise and that advanced vehicle technology reduces fuel consumption and greenhouse gas emissions that cause climate change.
BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to develop a Green Fleet Program; and
THAT Welland City Council to access available grants and services to reduce any costs of developing the Program.

(Councillor Alexander)

04-37

09-4 THAT THE COUNCIL OF THE CITY OF WELLAND implements a tax and water bill mailing insert initiative.

(COUNCILLOR O'DELL)

09-128 THAT THE COUNCIL OF THE CITY OF WELLAND takes steps to minimize the possibility of a flu pandemic this Fall by installing hand sanitizing stations, having surgical masks available, etc. in city owned facilities for the protection of employees and the general public.
Further, employees and Council should be encouraged to avoid coming to work when suffering obvious flu symptoms.

7.3 Call for Notices of Motion (for introduction at the meeting)

8. CORPORATION REPORTS

8.1 Councillor Activities Report

8.2 Mayor's Report

8.3 City Manager's Report

9. ADJOURNMENT



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AGENDA BLOCK

1. BUSINESS ARISING FROM MINUTES, PREVIOUS MEETINGS AND OTHER ITEMS REFERRED FROM COUNCIL FOR DISCUSSION

2. COMMITTEE AND STAFF REPORTS

1. Business Arising from Committee of the Whole (closed)

2. General Committee Report (NIL)

3. Staff Reports

1 - 14

Remove from Block

09-131Z Gen. Mgr., Planning and Development Services, D. Thorpe – Application for Zoning By-law Amendment – BGBJ Investments Ltd. Part Lot 24, Concession 6 and part of the closed road allowance between Lots 24 and 25, Concession 6, former Township of Crowland, now City of Welland and Parts of Block U, Plan 564 being Part 1, Plan 59R-11756 and part 1, Plan 59R-11803, east of Plymouth Road, south of Lincoln Street, north of First Street (110 First Street (File 2099-11). **(PDS-2009-52)**

15 - 28

Remove from Block

09-132Z Gen. Mgr., Planning and Development Services, D. Thorpe – Application for Zoning By-law Amendment – Calloway Reit (Welland) Inc., Part of Lot 4, Plan 59M-377, north side of Woodlawn Road, west of Primeway Drive (File: 2009-12) **(PDS-2009-53)**

29 - 51

09-130 Gen. Mgr., Planning and Development Services, D. Thorpe – Semi-Annual Subdivision Status Report – June 30, 2009. **(PDS-2009-54)**

52 - 134

Remove from Block

08-118

08-118Z Gen. Mgr., Planning and Development Services, D. Thorpe – Applications for Official Plan and Zoning By-law Amendments 1515435 Ontario Limited and 16544990 Ontario Inc., Part Lot 29 Concession 5, former Township of Crowland, now in the City of Welland, municipally known as 138 and 154 Riverside Drive (File 2007-08 and OPA). **(PDS-2009-55)**



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| 135 – 139 | 01-108 <u>09-135</u> | Gen. Mgr., Planning and Development Services, D. Thorpe – The City of Welland-Downtown Improvement Incentives Programs: SUKHJIT SINGH – 186-190 King Street, Part Lot 10, Plan 555. (PDS-2009-57) |
| 140 – 146 | <u>09-136</u> | Gen. Mgr., Planning and Development Services, D. Thorpe – The City of Welland - Downtown Improvement Incentives Programs: Sergei and Anna Golin - 269 East Main Street. (PDS-2009-60) |
| 147 – 150 | 01-43 01-44 <u>09-133</u> | Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Assumption of Harvest Estates Phase 1 & 3, Welland River Estates Phase 1 & 2 and Seaway Heights Phase 1 & 2. (ENG-2009-30) |
| 151 – 154 | <u>09-99</u> | Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Thorold Road Widening, Drainage & Roadway Improvements. (ENG-2009-31) |
| 155 - 157 | <u>09-98</u> | Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Road Reconstruction and Road Resurfacing 2009 “An Investing in Ontario Project” – Supplementary Report. (ENG-2009-32) |
| 158 - 160 | <u>04-124</u> | Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Universal Water Metering Program Award of Tender for Curb Stop and Box Repair and Replacement Program. (ENG-2009-34) |
| 161 - 164 | <u>09-26</u> | Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Tender Award – First Avenue Sidewalk Construction “An Investing In Ontario Project”. (ENG-2009-35) |
| 165 - 168 | <u>04-124</u> | Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Universal Water Metering Program – Continuation of Water Meter Installations. (ENG-2009-36) |
| 169 - 171 | <u>09-22</u> | Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Administrative Update – Traffic and Parking Operations. (TRAF-2009-19) |



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- 172 - 175** **09-19** Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick - Tender Award – Improvements to Dover, Jennifer, Ricelawn and Winfield Parks. **(PF&LS-2009-08)**
- 176 - 177** **09-32** Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – Sports Tourism – Financial Support. **(PF&LS-2009-09)**
- 178 - 180** **09-19** Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – RInC Grant – Welland Arenas Rehabilitation Project. **(PF&LS-2009-10)**
- 181 - 194** **05-158** Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – Woodlawn Road Sportsplex and Arenas – Report 2. **(PF&LS-2009-11)**
- 195 – 199** **09-15** Chief, Fire and Emergency Services, D. Prevost – Purchase of “Fit-Test” Machine. **(F&ES 2009-05)**
- 200 - 201** **04-37**
04-124 Gen. Mgr., Financial & Corporate Services/Treasurer – Water/Sewer Billing Using A Flat Rate. **(FIN-2009-12)**

3. NEW BUSINESS

- 202** **08-10**
08-95 Kerry Thomas, North Welland Business Improvement Area – Appointment of Member.
- Recommendation:**
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Kathleen Goodman to replace John Riley to the North Welland Business Improvement Area Board of Management as recommended by the North Welland Business Improvement Area’s Board of Management.
- 203** **09-3** Margaret R. Robertson, Chair, Marshville Heritage Festival – requesting to sell lottery tickets in the City of Welland.
- Recommendation:**
 THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to Marshville Heritage Festival to sell raffle tickets in the City of Welland under authority of Lottery Licenses M395911 and M395891; subject to the receipt of a \$25.00 administration fee for processing this request.



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- 09-13** A By-law to authorize the entering into an agreement with Brock University Students Union to provide Universal Transit Ridership for the student enrollment.
- 01-43**
01-44
09-133 A By-law to assume the Harvest Estates Subdivision Phases 1 and 3, the Welland River Estates Phases 1 and 2 and Seaway Heights Subdivision Phases 1 and 2.
- 09-26** A By-law to authorize the acceptance of tender and the entering into a contract with Alfidome Construction Limited for the first Avenue sidewalk construction between Thorold Road and Rolling Acres Drive.
- 04-124** A By-law to authorize the acceptance of tender and the entering into a contract with Anthony's Excavating & Elcho Farms Inc. for curb stop and box repair and replacement program.
- 09-19** A By-law to authorize the acceptance of tenders and the entering into contracts with Steele Contracting Inc. for improvements to Jennifer and Ricelawn Parks and with Peninsula Construction Inc. for improvements to Dover and Winfield Parks.
- 09-1** A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meetings held on the 21st day of July, 2009 and 11th day of August, 2009.